

REMARKS

Claims 1-7 and 10-13 are pending in the present application.

Claim 5 is amended to clarify a typographical error.

Claims 1 and 10 are amended to clarify the breadth of R⁸ and R⁹. No new matter is entered as a result of the amendment.

Priority Documents

The Office Action Summary indicates that none of the certified copies of the priority documents have been received. A Certified Copy of EP03100676.0 was submitted at the time of the original filing. Applicants respectfully request that the file be researched to insure that the document is not overlooked.

Restriction Requirement

In a previous response Claims 1-7 and 10-13 were elected without traverse. Claims 10-13 should still be pending in contradiction to the Official Action.

Examination of claims 10-13 on the merits is respectfully requested.

Claim Objections

Claim 5 is objected to due to informalities. Claim 5 has been amended thereby rendering the objection moot.

Claim Rejections - 35 USC § 102

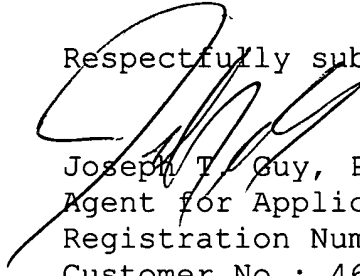
Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Sumioka et al. (US 2003/0072923).

Claim 1 has been amended wherein the breadth of R⁸ and R⁹ are limited thereby excluding the compounds described in Sumioka et al. The rejection is therefore rendered moot.

CONCLUSIONS

All pending claims are now believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,



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